

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Public Works	(2) MEETING DATE 9/9/2014	(3) CONTACT/PHONE Phil Acosta, Right of Way Agent (805) 781-5290	
(4) SUBJECT Submittal of a resolution vacating a portion of River Street, a paper street, and the east half of the Alley Way in Block 56 by Summary Vacation, and finding that the project is exempt from section 21000 et seq. of the California Public Resources Code (CEQA), in the unincorporated community of Oceano. District 4.			
(5) RECOMMENDED ACTION It is recommended that the Board: <div style="margin-left: 20px;"> 1) Adopt the attached resolution vacating the described portion of River Street, a paper street, and the east half of the Alley Way in Block 56 in the unincorporated community of Oceano, by Summary Vacation, as it has been determined to be unnecessary for present or prospective use; and 2) Find that the project is exempt from Section 21000 et seq. of the California Public Resources Code (CEQA). </div>			
(6) FUNDING SOURCE(S) N/A	(7) CURRENT YEAR FINANCIAL IMPACT N/A	(8) ANNUAL FINANCIAL IMPACT N/A	(9) BUDGETED? N/A
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. ____) <input type="checkbox"/> Board Business (Time Est. ____)			
(11) EXECUTED DOCUMENTS <input checked="" type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: N/A <input type="checkbox"/> 4/5 Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP Attached	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input type="checkbox"/> N/A Date: _____	
(17) ADMINISTRATIVE OFFICE REVIEW <i>Nikki J. Schmidt</i>			
(18) SUPERVISOR DISTRICT(S) District 4			

Reference: 14SEP09-C-4

County of San Luis Obispo



TO: Board of Supervisors

FROM: Public Works

Phil Acosta, Right of Way Agent

VIA: Dave Flynn, Interim Director of Public Works

DATE: 9/9/2014

SUBJECT: Submittal of a resolution vacating a portion of River Street, a paper street, and the east half of the Alley Way in Block 56 by Summary Vacation, and finding that the project is exempt from section 21000 et seq. of the California Public Resources Code (CEQA), in the unincorporated community of Oceano. District 4.

RECOMMENDATION

It is recommended that the Board:

- 1) Adopt the attached resolution vacating the described portion of River Street, a paper street, and the east half of the Alley Way in Block 56 in the unincorporated community of Oceano, by Summary Vacation, as it has been determined to be unnecessary for present or prospective use; and
- 2) Find that the project is exempt from Section 21000 et seq. of the California Public Resources Code (CEQA).

DISCUSSION

River Street is an unimproved right of way established under maps recorded in the late 1890's. The property owners adjoining the proposed vacation initiated the request in order to clarify real property rights and future building requirements to their property. It has been determined that the portion of River Street and the east half of the Alley in Block 56 have never been improved as roadways nor entered into the County Maintained Road System, nor are they required for future trail use. Public Works staff recommends this vacation as the area is unnecessary for present or prospective use.

Attachment "A" to the resolution provides the complete legal description of the portion of River Street and the east half of the Alley Way in Block 56 being abandoned.

Your approval of the recommended action will extinguish the described portions of River Street and described Alley Way in Block 56 and the implied rights that may have been created by the mapping of the described streets. No public funds have been used in maintaining said streets, and no public access has occurred over said property in over 5 years. The Streets and Highways code allows for Summary Vacation under these circumstances.

OTHER AGENCY INVOLVEMENT/IMPACT

County Counsel has reviewed and approved the attached resolution as to legal form and effect.

A General Plan Conformity Report pertaining to the vacation was received and filed by the Planning Commission at its regular meeting of July 24, 2014.

The County Environmental Coordinator has reviewed the project and determined that it is exempt from the requirements of the California Environmental Quality Act.

FINANCIAL CONSIDERATIONS

In the event the Vacation is approved, the cloud of title will be removed from the parent properties. Therefore, no direct financial impact is expected to result from the recommended Board action.

The applicants have entered into a reimbursement agreement with the department to cover staff costs related to the processing of their request. Total costs incurred under this agreement was approximately \$5,000.

RESULTS

The recommended action will clarify real property rights by eliminating unnecessary encumbrances, leading to a better governed community.

File: R/W file 405R970140 (River St & Alley – Pismo Coast Village, etal)

Reference: 14SEP09-C-4

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ATTACHMENTS

1. Vicinity Maps
2. Resolution Vacating a portion of River Street, a Paper Street, and the East Half of Alley Way in Block 56 by Summary Vacation in the Unincorporated Community of Oceano
3. Notice of Exemption